GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4677
ANSWERED ON:23.04.2002
NDMC MEMBERS
RAMJI MANJHI

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether as per provisions `Q` and `Z` of Article 243 of the Constitution of India, a Municipal Council has to have elected representatives only;

(b) if so, the facts in this regard;

(c) whether the high-level Government Committee examining the issue before passing the NDMC Act in 1994, had also recommended that the Council should have elected members;

(d) if so, the reasons for the New Delhi Municipal Council having only nominated members; and

(e) the corrective steps proposed to be taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO)

(a) and (b): Article 243 R of the Constitution lays down that save as provided in clause (2) of the said article, all the seats in a Municipality shall be filled by persons chosen by direct election.

(c): The Committee known as the Balakrishnan Committee in its report submitted to the Government in December, 1989 had recommended, inter alia, the NDMC to consist of certain members appointed by the Lt. Governor of Delhi and equal number of members elected from amongst the inhabitants of the NDMC area.

(d) & (e): Article 243 ZB empowers the President to direct that the provisions of Part IXA of the Constitution shall apply to any of the Union Territory or part thereof subject to such exceptions and modifications as he may specify in the notification. Keeping in view the special characteristics of NDMC area, it was considered expedient to invoke the saidprovision for determining, inter alia, the composition of the Council.